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Patent
Attorney's Docket No. 028870-086

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REQUEST FOR FILING CONTINUATION/DIVISIONAL
APPLICATION UNDER 37 C.F.R. § 1.53(b)

#2/Pref
\$2498

Box PATENT APPLICATION
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is a request for filing a [] continuation [X] divisional application under 37 C.F.R. § 1.53(b) of pending Application No. 08/834,155 filed on April 14, 1997, for BIOACTIVE SOL-GEL COMPOSITIONS AND METHODS, by the following named inventor(s):

- (a) Full Name Jipin Zhong
- (b) Full Name David C. Greenspan
- (c) Full Name _____

- [X] The entire disclosure of the prior application from which a copy of the oath or declaration is supplied herewith is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- [] This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. § 1.63(d)(2), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application.

- (a) Full Name _____

- 1. [X] Enclosed is a copy of the prior Application No. 08/834,155 as originally filed on April 14, 1997, including copies of the specification, claims, drawings and the executed oath or declaration as filed.
- 2. [] Enclosed is a revised prior application and a copy of the prior executed oath or declaration as filed. No new matter has been added to the revised application.
- 3. [X] The statement claiming small entity status [] are enclosed
[X] were filed in prior Application No. 08/834,155, filed on April 14, 1997.
- 4. [X] The filing fee is calculated below [X] and in accordance with the enclosed preliminary amendment:

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CLAIMS					
	NO. OF CLAIMS		EXTRA CLAIMS	RATE	FEE
Basic Application Fee					\$ 790.00
Total Claims	9	MINUS 20 =	-0-	x \$22 =	-0-
Independent Claims	3	MINUS 3 =	-0-	x \$82 =	-0-
If multiple dependent claims are presented, add \$270.00					-0-
Total Application Fee					790.00
If small entity status is claimed, subtract 50% of Total Application Fee					395.00
Add Assignment Recording Fee of \$40.00 if Assignment document is enclosed					-0-
TOTAL APPLICATION FEE DUE					\$395.00

5. ☒ Charge \$ 395.00 to Deposit Account No. 02-4800 for the fee due.
6. ☐ A check in the amount of \$_____ is enclosed for the fee due.
7. The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in triplicate.
8. ☒ Cancel in this application original claims 1-13, 19-22, and 27-37 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
9. ☒ Amend the specification by inserting before the first line the sentence: --This application is a ☐ continuation, ☒ divisional, of Application No. 08/834,155, filed April 14, 1997. Now Patent No. 5,874,101
10. ☐ Transfer the drawings from the pending prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate of this paper is enclosed for filing in the prior application file. (May only be used if signed by person authorized under 37 C.F.R. § 1.138 and before payment of issue fee.)
11. ☒ New drawings are enclosed.

12. ☐ Priority of Application No. _ filed on _ in _ (country) is claimed under 35 U.S.C. § 119.

☐ The certified copy of the priority application ☐ is enclosed ☐ was filed
on _ in prior Application No. _, filed on _ ☐ has not yet been filed.

13. ☒ A preliminary amendment is enclosed.

14. ☐ Also enclosed _.

15. ☒ The power of attorney in the prior application is to Ronald L. Grudziecki, Registration
Number 24,970.

a. ☐ The power appears in the original papers in the prior application.

b. ☐ Since the power does not appear in the original papers, a copy of the power in
the prior application is enclosed.

c. ☐ Recognize as Associate Attorney _.

d. ☒ Address all future communications to: (May only be completed by applicant,
or attorney or agent of record.)

Ronald L. Grudziecki
BURNS, DOANE, SWECKER & MATHIS, L.L.P.
P.O. Box 1404
Alexandria, Virginia 22313-1404

January 13, 1998
Date

By: Allen R. Baum
Allen R. Baum
Registration No. 36,086

Address of
signator:

BURNS, DOANE, SWECKER & MATHIS, L.L.P.
P.O. Box 1404
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(703) 836-6620

☐ inventor(s)
☐ assignee of complete interest
☐ attorney or agent of record
☒ filed under 37 C.F.R. § 1.34(a)

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I hereby certify that this paper or fee
is being deposited with the United States
Postal Service "Express Mail Post Office to
Addressee" service under 37 CFR 1.10 on
the date indicated above and is addressed to
the Commissioner of Patents and Trademarks,
Washington, D.C. 20231.

Heather L. Rattelade
(Typed or printed name of person mailing
paper or fee)

Heather L. Rattelade
(Signature of person mailing paper or fee)